



TO: Members of the Academic Board

SPONSOR: Louis Charpentier, Secretary of the Governing Council

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DATE: February 29 for March 14, 2012

AGENDA ITEM: 7c

TITLE OF ITEM OF BUSINESS: Constitutional Amendments: New College

ACTION:
For Approval

JURISDICTIONAL INFORMATION:

The Governing Council has the authority to establish faculty and college councils and to determine the composition, powers, and duties of those councils under the provisions of the *University of Toronto Act, 1971*, Section 2 (14)(i).

Section 5.2.2 of the Academic Board's terms of reference calls for amended divisional constitutions to be considered by the Board and confirmed by the Executive Committee. Amendments to By-laws are approved by divisional councils.

PREVIOUS ACTION TAKEN:

On October 28, 2010, the Governing Council approved in principle the [Report of the Task Force on Governance](#) and the 32 recommendations outlined in the *Report*. Recommendation 15 provides for the re-distribution of and greater delegation of responsibilities. Specifically, the Task Force recommended that, as a guiding principle, transactional matters be delegated to either the lowest appropriate level within governance, or where appropriate, to the administration, with reporting back of decisions to a suitable level of governance.

An Implementation Committee, established by the Governing Council in October 2010 and led by then Vice-Chair Richard Nunn, was charged with overseeing and coordinating implementation of the Task Force's recommendations, ensuring appropriate participation among relevant bodies of governance, administrative offices and the Secretariat.

At the same time, and in line with the work of the Task Force on Governance, the University approved a new policy governing the Approval and Review of Academic Programs and Units

PREVIOUS ACTION TAKEN (cont'd)

(June 24, 2010) and developed the University of Toronto Quality Assurance Process (UTQAP) which was approved by the Ontario Universities Council on Quality Assurance on March 31, 2011. The UTQAP reflects the delegation to universities of an important degree of responsibility and authority over the quality of their academic programs. At the same time it provided a new definition of categories of academic change and envisaged the delegation to Faculty Councils of an important degree of authority and responsibility for that academic change.

Together, these two processes culminated in revisions to Board and Committee Terms of Reference and led to Governing Council approval in May 2011 of the re-alignment of responsibilities among the Committee on Academic Policy and Programs, the Planning and Budget Committee, the Academic Board and the divisional councils with respect to academic program review and approval.

In June, 2011, Principals and Deans were advised of the need for amendments to the constitutions of the academic divisions arising from changes to the approval processes for proposals for new academic programs and modification of existing programs. During the summer and early fall, 2011, representatives from the Office of the Governing Council and the Office of the Vice-President and Provost met with divisional representatives to discuss the required constitutional and related by-laws changes as well as the implications for divisional processes. Updated templates for divisional constitutions and by-laws were provided in order to enable greater consistency across the University, and divisional representatives were encouraged to draw freely from the templates when drafting revisions to their documents.

In September 2011, the College struck an ad hoc committee led by the Principal to review the College's Constitution and By-Laws. The ad hoc committee began the process of revising the College's Constitution and By-Laws to align with Governing Council's June 2011 templates for Divisional Councils' Constitution and By-Laws. The work of this committee continued until early December when a presentation on the process was made at the December 2011 meeting of the New College Council. The College's proposed constitutional and by-laws revisions were presented to the Provost's Advisory Group on December 5, 2011 and approved by College Council on January 23, 2012.

HIGHLIGHTS:

The constituent colleges were asked to incorporate into their constitutions provisions for the following powers and duties of Council and this was done in the case of New College.

- **Academic Programs**
 - Council's responsibility for overseeing the content of academic programs and courses of study that lead to degrees, diplomas, certificates, credit and non-credit courses over which the College has authority.
 - Council's authority to recommend for approval to the Council of the Faculty of Arts and Science proposals for new academic programs.

HIGHLIGHTS (cont'd):

- Council's authority to recommend for approval to the Council of the Faculty of Arts and Science proposals for major and minor modifications to existing academic programs. (Definitions of major modifications of existing programs, minor modifications, and new academic programs are provided in the *University of Toronto Quality Assurance Process* and are subject to change.)
- **Review of Academic Programs and Units**
Council's responsibility to consider and discuss a review report of an academic program and/or unit of the College, consistent with the protocol outlined in the *University of Toronto Quality Assurance Process*.

Additional amendments to the New College Council's constitution represent a reorganization and updating of the document in order to follow more closely the constitutional template provided by the Office of the Governing Council to all divisions. As well, the opportunity was taken to make minor housekeeping and editorial changes.

Other substantive amendments are as follows.

- II – Definitions

This section is entirely new. The current constitution does not include a definitions section.

- IV. Council's Specific Powers and Duties

IV.5

This section is new and is added to conform to the New College Residence Rules and Regulations, which state:

Appeals against a decision made by the Director of Residence and Student Life, or a designate acting under the Director's authority, must be made in writing within ten (10) calendar days' notice of a sanction, in consultation with the Chair of the New College Council, who will initiate an appeal process as outlined in the New College Council Constitution.

- V. Powers, Duties and Responsibilities of the Principal

This section is new and is added to conform to the constitutional template provided by the Office of the Governing Council.

HIGHLIGHTS (cont'd):

- VI. Membership of the Council

VI.2 Other voting members elected or appointed

Six (6) elected members of the teaching staff; Decreased from 10 to 6

- XII. Amendment of the Constitution and By-Laws

This section has been modified so that the procedures for amendments to the Constitution and to the By-Laws are essentially the same: notice that an amendment will be discussed at a regular meeting of Council must be given at the previous meeting and the amendment itself must be submitted in writing with the agenda 7 days prior to the meeting at which the vote will take place.

BUDGETARY/FINANCIAL IMPLICATIONS:

N/A

ACTION:

Be It Recommended

THAT, subject to confirmation by the Executive Committee, the amended Constitution of New College, which was approved by the Council of New College on January 23, 2012, be approved.